Elizabeth Anderson, LPN

Call to Order: May 14, 2009 at 8:30 a.m. – Board of Nursing Conference Room, 919 S 7<sup>th</sup> Street, Ste 504, Bismarck, ND.

Roll Call: Nine board members present as follows:

Nelson (Buzz) Benson, RN, President
Charlene Christianson, RN, Treasurer
JoAnn Sund, RN

Julie Traynor, RN, Vice-President
Roxane Case, Public Member
Daniel Rustvang, RN

Mary Tello-Pool, LPN Melisa Frank, LPN

Staff Present:

Constance Kalanek, RN, Executive Director
Patricia Hill, RN, Asst. Director for Practice & Discipline

Karla Bitz, RN, Associate Director
Julie Schwan, Admin Services Coordinator

Linda Shanta, RN, Associate Director for Education

Observers were present as indicated on the attached rosters.

MINUTES REFLECT ACTIVE AGENDA	A ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.
MINUTES REFLECT ACTIVE AGENDA	
	ACTION
1.1 Consent Agenda	Discussion: The board reviewed the consent agenda. No items were identified for discussion.
	Motion: Traynor, seconded by Case to: ADOPT THE CONSENT AGENDA AS PRESENTED.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
1.2 Agenda	Discussion: The agenda was reviewed as distributed. No changes were identified.
	Motion: Sund, seconded by Traynor to: APPROVE THE AGENDA AS DISTRIBUTED.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
1.3 Open Forum 9:00 a.m.	No one was present to address the board during open forum.
2.1 March 19, 2009 Meeting Minutes	Discussion: The minutes of the March 19, 2009 meeting were reviewed. No changes were identified.
	Motion: Traynor, seconded by Anderson to: APPROVE THE MINUTES OF THE MARCH 19, 2009 MEETING AS DISTRIBUTED.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
3.1 Financial Statements	Financial Statements through April 30, 2009 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Actual Income is at 97% and actual expenses were at 84% of budgeted.
3.2 Strategic Plan	Kalanek and Traynor have been meeting with facilitators for the board's next strategic plan and will have one identified by July to begin with the strategic plan in September.
3.3 2009-2010 Budget – Finance Committee	Discussion: The Finance Committee met May 6, 2009 to prepare a proposed budget for board consideration. Christianson reviewed highlights of the meeting and the Finance Committee recommendations. The first recommendation involves a fee increase of the Criminal History Record Check Fee of \$15.00 that was instituted in July 2008. In reviewing the cost of the administration of the CHRC, it was recommended the record check fee be increased from \$15.00 to \$20.00.
	Motion from the Finance Committee to: RECOMMEND TO THE BOARD THAT THE CHRC PROCESSING FEE BE INCREASED FROM \$15.00 TO \$20.00 EFFECTIVE JULY 1, 2009.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
	Discussion: The CE Approval fee was reviewed and felt that the higher number of contact hours courses were taking more time than justified by the fee.  The Finance Committee discussed restructuring the Approval of CE Processing Fee as follows:  Current Fee: \$25.00 for one CE Proposed Fee: \$25.00 for one CE \$50.00 for two CE \$50.00 for two CE \$75.00 for three to nine CE \$75.00 for three to six CE \$100.00 for ten or more \$100.00 for seven to nine CE \$150.00 ten or more CE  Additional fee of \$25.00 for reoccurring approval of two years.

AGENDA ITEM	ACTION
3.3 2009-2010 Budget – Finance Committee (continued)	Motion from the Finance Committee to:  RECOMMEND TO THE BOARD THAT THE APPLICATION FOR APPROVAL OF CE BE RESTRUCTURED AS FOLLOWS:  \$25.00 – ONE CONTACT HOUR  \$50.00 - TWO CONTACT HOURS  \$75.00 – THREE TO SIX CONTACT HOURS  \$100.00 – SEVEN TO NINE CONTACT HOURS  \$150.00 – TEN OR MORE CONTACT HOURS
	ADDITIONAL \$25.00 FOR REOCCURRING APPROVAL FOR TWO YEAR PERIOD.  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
	Discussion: The Committee discussed paying a stipend for expenses for meeting attendance for external committee members of the Nursing Education Committee and the Program Monitoring Committee of \$100 per meeting. They currently are attending meetings at their own expense. The current Nurse Practice Committee members expire on June 30, 2009. Board members expressed concern about offering the stipend for some committees but not all. The Nurse Practice Committee is quite large and the board discussed using more task forces for specialty practice issues rather than the entire committee.
	Motion from the Finance Committee to: RECOMMEND TO THE BOARD TO PAY A \$100 STIPEND PER MEETING TO EXTERNAL COMMITTEE MEMBERS ON THE PROGRAM MONITORING COMMITTEE AND THE NURSING EDUCATION COMMITTEE.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
	Discussion: The Finance Committee reviewed a letter from Bergeson regarding a proposal for a fee increase for FY09-10. He recommends a retainer increase of \$100 per month and an hourly fee increase of \$5.00 per hour.
	Motion from the Finance Committee to: RECOMMEND TO THE BOARD TO INCREASE THE RETAINER FOR BRIAN BERGESON BY \$100 PER MONTH TO \$2200 AND INCREASE THE HOURLY RATE BY \$5.00 TO \$120 PER HOUR.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
	Discussion: The committee discussed using reserve funds for purposes of fixed assets purchases. For the 09-10 fiscal year, the board office is in need of a new copy machine at an approximate cost of \$8500.
	Motion from the Finance Committee to: RECOMMEND TO THE BOARD THAT THE FIXED ASSET PURCHASE BE TAKEN FROM RESERVE FUND BALANCE.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
	Discussion: The committee reviewed all income and expenses line by line and made revisions as necessary which increased expenses by \$700 from proposed.
	Motion from the Finance Committee to: RECOMMENDS TO THE BOARD APPROVAL OF THE PROPOSED 2009-2010 BUDGET OF \$964,985 PROJECTED INCOME AND \$963,965 PROJECTED EXPENSES, WHICH INCLUDES \$65,000 DESIGNATED FOR NURSING EDUCATION LOANS.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
3.1 Payment of Stipend for May committee meetings	Discussion: Staff requested that the board consider paying a \$100 stipend to the external committee members of the Nursing Education Committee and the Program Monitoring Committee for their May meeting from this year's budget. There are funds available for the payment.
	Motion: Case, seconded by Traynor to: APPROVE PAYMENT OF A \$100 STIPEND TO EXTERNAL COMMITTEE MEMBERS FOR ATTENDANCE AT THE MAY MEETING OF THE NURSING EDUCATION COMMITTEE AND THE PROGRAM MONITORING COMMITTEE (2008-2009 BUDGET).
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.

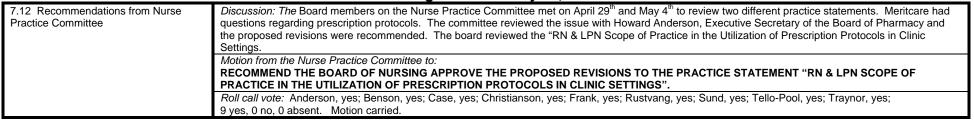
AGENDA ITEM	ACTION					
4.1 Administrative Settlements – Practice	Discussion: was reviewe	ed and considered by the E	Board.	inistrative settlement for practice	without a license/req	gistration since the last meeting. Each
		lynor, seconded by Anders		ACTICE WITHOUT A LICENSE	/DECISTRATION FO	OR THE FOLLOWING:
	ACCE	Name	Lic/Reg #	ACTICE WITHOUT A LICENSE City, State	Sanction	Penalty Fee
		Colby, Joni	L6830	Moorhead, MN	Reprimand	\$600
		Alvarado, Wendi	103577UAP	Arthur, ND	Reprimand	\$750
	l	Gage, Lorraine	90026UAP	Langdon, ND	Reprimand	\$200
		<u> </u>	, yes; Case, yes; Christianso	on, yes; Frank, yes; Rustvang, ye		
4.3 Voluntary Surrender	reviewed an	nd discussed the facts and	terms of the Voluntary Surre	surrenders, seeking the Board's enders. The order for Timothy R		pproval of its terms. The board ed separately.
		nd, seconded by Tello-Poo AND ACCEPT THE PROF			OF THE BOARD FO	R THE FOLLOWING INDIVIDUALS.
		Name	Lic/Reg #	City, State	Penalty Fee	
		Horner, Jennifer	101053UAP	Bismarck, ND	\$100	
		Kramlich, Delores	L2899	Christine, ND	\$100	
		<ul><li>e: Anderson, yes; Benson</li><li>0 absent. Motion carried.</li></ul>		on, yes; Frank, yes; Rustvang, y	es; Sund, yes; Tello-	Pool, yes; Traynor, yes;
			othy Raab's Voluntary Surre would exceed the cost of th		ed and cannot pay th	ne penalty fee. The board considered
	Motion: Cas	se, seconded by Rustvang	to:	•	OF THE BOARD FO	R TIMOTHY RAAB RN, WITH THE
	Roll call vot			on, yes; Frank, yes; Rustvang, y	es; Sund, yes; Tello-	Pool, yes; Traynor, yes;
4.41 Stipulation for Settlement – Tina Romfo, L11679	reviewed an	nd discussed the facts and	terms of the Stipulation for S	omfo, LPN, seeking the Board's Settlement for violation of NDCC		oproval of its terms. The Board and NDAC 54-02-07-01.1 (5)(6)(12).
		SUSPEND THE LICEN ASSESS A \$800 PENA	POSED STIPULATION FOR ISE FOR ONE YEAR;	SETTLEMENT FOR TINA ROI ND DISBURSEMENTS; AND	MFO LPN, AND ENT	ER ITS ORDER TO:
		e: Anderson, yes; Benson 0 absent. Motion carried.		on, yes; Frank, yes; Rustvang, y	es; Sund, yes; Tello-	Pool, yes; Traynor, yes;
4.42 Stipulation for Settlement – Jennifer Stroup, R30012	reviewed an Motion: Ca	nd discussed the facts and ase, seconded by Anderson HE TERMS OF THE PROF	terms of the Stipulation for S	fer Stroup RN, seeking the Boar Settlement for violation of NDCC SETTLEMENT FOR JENNIFE	43-12.1-14 (3) and I	
	+ A + O	THER TERMS AS SET O	UT IN BOARD ORDER.	D DISBURSEMENTS; AND	oo: Sund roomo: To	lla Baal, vas: Traypar, vas:
		1 recuse, 0 absent. Motion		on, yes, main, yes, kusivalig, y	es, Sunu, recuse, Te	iio-i ooi, yes, i iayiioi, yes,
4.43 Stipulation for Settlement – Dawn Greeno, RN Applicant	Discussion: Board review	A Stipulation for Settleme	ent was received from Dawn ts and terms of the Stipulation	Greeno RN, Applicant, seeking on for Settlement for violation of		ration and approval of its terms. The l).
	ACCEPT TI ◆ IS	SSUE A REPRIMAND;	POSED STIPULATION FOR	SETTLEMENT FOR DAWN GI	REENO RN APPLIC	ANT, AND ENTER ITS ORDER TO:
	<b>+</b> 0	THER TERMS AS SET O	UT IN BOARD ORDER.			

AGENDA ITEM	ACTION
4.43 Stipulation for Settlement – (Continued)	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
4.44 Stipulation for Settlement – Rebecca Gulbranson, L11907	Discussion: A Stipulation for Settlement was received from Rebecca Gulbranson LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (5)(6).
	Motion: Rustvang, seconded by Frank to:  ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR REBECCA GULBRANSON LPN, AND ENTER ITS ORDER TO:  ◆ ISSUE A REPRIMAND;  ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND  ◆ OTHER TERMS AS SET OUT IN BOARD ORDER
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
4.45 Stipulation for Settlement – Karla Thompson, L11337	Discussion: A Stipulation for Settlement was received from Karla Thompson LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (2)(5)(6).  Motion: Traynor, seconded by Case to:  ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KARLA THOMPSON, LPN, AND ENTER ITS ORDER TO:  ↓ ISSUE A REPRIMAND;  ↓ ASSESS A \$500.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND
	◆ OTHER TERMS AS SET OUT IN BOARD ORDER  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
4.46 Stipulation for Settlement – Celeste Peach, R25295	Discussion: Brian Bergeson, SAAG, was present for this agenda item. A Stipulation for Settlement was received from Celeste Peach RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (2)(5)(6).
	<ul> <li>Motion: Traynor, seconded by Anderson to:</li> <li>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CELESTE PEACH RN, AND ENTER ITS ORDER TO:</li> <li>ISSUE A REPRIMAND;</li> <li>ASSESS A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</li> <li>OTHER TERMS AS SET OUT IN BOARD ORDER</li> </ul>
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
4.71 Request for Reinstatement – Cynthia Hagen, R31494	Discussion: Cynthia Hagen has requested reinstatement of her RN license to full licensure status. The board reviewed and discussed the Disciplinary Review Panel recommendation reinstate her RN license to full status.  Motion: Sund, seconded by Anderson to:  GRANT THE REQUEST FOR REINSTATEMENT OF CYNTHIA HAGEN'S RN LICENSE TO FULL STATUS AS SHE HAS COMPLIED WITH TERMS AND
	CONDITIONS OF BOARD ORDER DATED MAY 15, 2008.  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
4.91 Other – Janel Billings	Discussion: Janel Billings submitted a NNAAP Admission Application with a positive response to the criminal history question. She was released and paroled on February 11, 2009. A status repor from her probation officer was limited due to her recent release.  Motion: Sund, seconded by Traynor to:  DENY THE NNAAP APPLICATION FOR JANEL BILLINGS BASED ON NDCC 43-12.1-14 (1).  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
4.10 Miscellaneous Discipline Issues	<ul> <li>The board reviewed the following licensure status:</li> <li>Tara Smith (aka Wieland) L11633 – Suspended for three years for violating terms and conditions of WIP agreement and Stipulation for Settlement dated January 22, 2009.</li> <li>Patricia Longie, Medication Assistant Application: Application denied 11/20/08 due to insufficient rehabilitation. Information received 4/29/09 with Order for Dismissal filed 4/20/09 and charges were dismissed. DRP recommendation to process application.</li> </ul>

AGENDA ITEM	ACTION
4.11 Investigative Plan Policy revisions (5/14 @ 2:00 pm w SAAG)	Discussion: Brian Bergeson, SAAG was present for this agenda item as well as Kathy Bachmeier RN and Beth Tagnon RN from the Dept of Corrections. The board reviewed proposed revisions to the Investigative Plan. Discussions between the Board and prison staff have been ongoing regarding repeated potential violation reports (PVRs) against the nurses at correctional facilities. It was noted that many complaints from inmates are not violations of the Nurse Practices Act. The board's current policy is that if the board received more the three PVRs in the prior year from the same individual and the reports are without merit, any further PVRs will be returned with a copy sent to the applicable facility. The disciplinary review panel (DRP) proposes to add a requirement for a courtesy notification to the nurse that is the subject of a PVR, and to also notify the correctional facility administrator and/or nursing supervisor. The board discussed whether the courtesy call should be discretionary or mandatory. The intent is that the call would be made, but concerns were discussed that if notification is not made for any reason that may create issues. The board discussed and decided to use the term "may" rather than "will". Another proposal is to add to the policy if a correctional nurse who is the subject of the report, has submitted a completed Response Form, to the board within the prior 12 months, the information pertaining to the nurse in the response form only needs to be completed if there have been changes since the submission of the previous Response Form. Department of Correction staff requested that the board consider removing the health condition questions from the response form, as it seems an invasion of privacy. The board by consensus agreed to remove the health questions from the initial response form, and investigators can get information as necessary if the investigation continues. Other changes related to how the database would be marked in cases where the board is notified of disciplinary action in another
	Motion: Tello-Pool, seconded by Case to:  APPROVE THE PROPOSED REVISIONS TO THE INVESTIGATIVE PLAN TO ADDRESS  PROCESSING OF POTENTIAL VIOLATION REPORTS (PVR) FROM INMATES OF CORRECTIONAL FACILITIES  WITH REVISIONS TO PROPOSED DRAFT OF 2.A. a. & 2.A.b USE THE TERM "MAY" INSTEAD OF "WILL" AND 2.A. b. ADD  "AND/OR NURSING SUPERVISOR" IN THE NOTIFICATION.  PROCESS FOR MARKING DATABASE FOR INACTIVE ND LICENSED NURSE WHEN DISCIPLINE DOCUMENTS OR NOTIFICATION FROM
	ANOTHER STATE IS RECEIVED.  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
5.11 DNP AAS Focus Survey Report (NEC) 5/14 @ 11:00 a.m.	Discussion: Traynor recused herself from this agenda item. A focused survey for the Dakota Nursing AAS Nursing Program was performed in April 2009 by surveyors Shanta and Kalanek. It was noted that the program has made significant improvement during the past year under Traynor's leadership. Most notable was the student's ability to differentiate between the RN and LPN role and scope. Ft Berthold Community College will begin as a fifth partner in the program beginning in Fall 2009. The Nursing Education Committee reviewed the report in detail. There were two section in the NDAC of partial compliance that related to faculty requirements. With the exception of the BSC campus, which will be fully staffed with qualified MSN faculty this year, the program does not have sufficient qualified faculty. It was noted that many of the faculty are enrolled in master's programs and in the Nurse Faculty Intern Pilot Study. All other areas met the requirements of the rules.  Motion from Nursing Education Committee:  RECOMMEND TO THE BOARD THAT:  1) THE DAKOTA NURSING AAS NURSE PROGRAM IS IN SUBSTANTIAL COMPLIANCE WITH NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAM; AND  2) GRANT FULL APPROVAL OF THE PROGRAM THROUGH MAY 2011; AND  3) REQUIRE AN ADDENDUM WITH EVERY ANNUAL REPORT DURING THE APPROVAL TIME PERIOD DESCRIBING:  A. ACADEMIC QUALLIFICATIONS OF ALL SITE MANAGERS, INSTRUCTORS, CLINICAL INSTRUCTORS AND LEARNING FACILITATORS.  B. THE EVALUATION FINDINGS ACCORDING TO THE EVALUATION PLAN RELATED TO CURRICULAR OUTCOMES.  C. NCLEX RESULTS.  4) THE PROGRAM MAY REQUEST AN ADDITIONAL TWO YEAR APPROVAL BY PROVIDING A DETAILED REPORT TO THE BOARD IN THE SPRING OF 2011 DETAILING THE FOLLOWING:  A. LEADERSHIP STABILITY AT ALL LEVELS OF THE PROGRAM  B. FACULTY QUALIFICATIONS  C. STUDENT SATISFACTION BASED UPON STUDENT EVALUATIONS  D. ACCEPTABLE NCLEX RESULTS AT EVERY SITE ACCORDING TO NDAC 54-03.2-07-01.1 PERFORMANCE OF GRADUATES ON LICENSING EXAMINATION.
	7 yes, 0 no, 2 recuse, 0 absent. Motion carried.

AGENDA ITEM	ACTION
5.21 UND Graduate Programmatic Changes (NEC)	Discussion: The UND Graduate program has submitted curricular changes for consideration for approval. The anesthesia program is moving from 24 months to 28 months. The Nursing Education Committee reviewed the proposed revisions and recommends approval.
	Motion from the Nursing Education Committee to: RECOMMEND TO THE BOARD THAT UNIVERSITY OF ND GRADUATE PROGRAM HAS SUBMITTED CURRICULAR REVISIONS THAT ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-02 PROGRAMMATIC CHANGES.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
5.22 NDSU Programmatic Change	Discussion: A letter from NDSU notifying the board that they will be discontinue their FNP Masters program as all students are opting for the Doctorate in Nurse Practice program. AACN will mandate a doctorate for certification in the future, however the proposed dates are unclear.
	Motion from the Nursing Education Committee: RECOMMEND TO THE BOARD THAT THE NORTH DAKOTA STATE UNIVERSITY GRADUATE PROGRAM HAS SUBMITTED CURRICULAR REVISIONS THAT ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-02 PROGRAMMATIC CHANGES.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
5.41 Final CE Audit Report	Discussion: The audit of the 2009-2010 renewal has been completed. 152 licensees were audited and 9 from 2006 that did not fulfill requirements in 2006 for a total of 161. All met the requirements, with none being referred for discipline for non-compliance.
	Motion: Sund, seconded by Christianson to: APPROVE THE FINAL 2008 CONTINUING EDUCATION AUDIT REPORT ACCORDING TO NDAC 54-02-05-08(2). CONTINUING EDUCATION REQUIREMENT FOR LICENSE RENEWAL.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
5.42 MN State Community & Technical College PN Refresher Course Approval (NEC)	Discussion: MN State Community & Technical College had submitted their LPN Refresher course for continued approval in January. Numerous changes were recommended so the board extended the approval for the revisions to be made. The Nursing Education Committee reviewed the report and recommends approval:
	<ol> <li>Motion from the Nursing Education Committee to:         RECOMMENDS THAT         <ol> <li>THE BOARD GRANT FULL APPROVAL FOR PN REFRESHER COURSE TO BE OFFERED BY MN STATE COMMUNITY &amp; TECHNICAL COLLEGE WHICH MEETS GUIDELINES ESTABLISHED BY THE BOARD FOR THE NEXT FOUR YEARS: MAY 2009 – MAY 2013.</li> <li>APPROVE 130 CONTACT HOURS OF CONTINUING EDUCATION FOR THE COURSE THROUGH JANUARY 2013.</li> </ol> </li> <li>RECOMMEND REVISING ALL REFERENCES TO LPN OR LICENSE PRACTICAL NURSE THROUGHOUT THE COURSE TO PN OR PRACTICAL NURSE, BECAUSE THE STUDENTS ARE GENERALLY NOT LICENSED AND THEREFORE CANNOT USE THE TITLE LICENSED PRACTICAL NURSE</li> </ol>
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
5.43 Ratification of Approval of Continuing Education for Contact Hours	Discussion: The board reviewed a list of courses approved by board staff for contact hours as of May 12, 2009.  Motion: Traynor, seconded by Case to:  RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSES #780 THROUGH #793.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
5.51 Nurse Faculty Intern Pilot Study	Discussion: One application for the Nurse Faculty Intern Pilot Study has been received since the last meeting that meets the requirements for participation. Shanta and Kalanek will be doing a presentation on the Nurse Faculty Intern Study for the board later in the day. Staff are continuing to send out post tests for those currently in the study for the final data collection. Staff indicates there will be enough data to assist with strategic planning and to offer possible policy changes in the future. Shanta & Kalanek presented an update to the Nurse Faculty Intern Pilot Study at 3:00 PM.
	Motion: Case, seconded by Christianson to: RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERNS: Kimberly Brown
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse; 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.
5.52 Report of Out-of-State Students	A total of 338 out of state students were obtaining clinical experience in ND facilities in spring semester 2009. The Nurse Leadership Council formed a task force that drafted a proposed policy for facilities for clinical sites. The Board is awaiting further information.

AGENDA ITEM	ACTION
6.1 Criminal History Record Checks	The board reviewed the Criminal History Record Check Final Report for the NCSBN grant from the Office of Advancement in Telehealth that was received for CHRC implementation. The board reviewed the recommendations for improvement in activities which included the following:  1. Develop a standard for seriousness of the level of criminal activity that would be reviewable by Board prior to implementation, i.e. are only felonies barriers to licensure.  2. Develop a standard for timeframes of criminal activity related to issuance of licenses (i.e. felony that occurred 5 years or 10 years ago).  3. Establish a centralized state agency to conduct and coordinate CHRCs.  4. Develop a national and state standard as to what can/cannot be disseminated and to whom.  5. Develop a mechanism at the national and state level for electronic submission of noncriminal fingerprints.  6. Develop an online system for payment of fees to Bureau of Criminal Investigation and Federal Bureau of Investigation.  7. Develop a standard for repetition of the fingerprinting process when an applicant upgrades to the next level of licensure.  8. Develop a set standard for a time frame for the issuance of temporary permits.
6.2 Executive Order 2009-08	The board reviewed the Executive Order 2009-08 issued by Governor Hoeven in March that suspended the Nurse Practices Act through April 7, 2009 due to the flooding throughout the state.
6.3 UAP Renewal – complaint from Dakota Hills Housing	Kalanek reported that Jackie Bauer from Dakota Hills Housing wished to register a complaint to the board about the requirement for using the on-line system for medication assistant renewal. She indicated that their facility preferred paper renewal. Kalanek indicated that board staff does renew individuals by phone for those that do not wish to use a computer.
6.41 Ratification of Nursing Practice Hours – Corrine Semmen	Discussion: Corrine Semmen submitted a journal for practice hours for caring for her granddaughter. Staff has approved 260 hours for 2006.  Motion: Sund, seconded by Traynor to:  RATIFY THE APPROVAL OF 260 HOURS FOR 2006 FOR CORRINE SEMMEN FOR THE CARE OF HER GRANDDAUGHTER ACCORDING TO NDAC 54-02-05-05 (D).  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
6.42 Ratification of Nursing Practice Hours – Grant Wilz	Discussion: Grant Wilz submitted a journal for practice hours for caring for his son. Staff have approved 500 hours for 2007 and 2008.  Motion: Rustvang, seconded by Case to:  RATIFY THE APPROVAL OF 500 HOURS FOR 2007 AND 500 HOURS FOR 2008 FOR GRANT WILZ FOR THE CARE OF HIS SON ACCORDING TO NDAC 54-02-05-05 (D).  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
6.5 Request for ND data for research study	The NCSBN NCLEX Examination Department will be conducting a research study to determine how baccalaureate US nursing programs core academic competencies compare to those in Europe. NCSBN requests permission to use North Dakota's NCLEX data in the study.  Motion: Traynor, seconded by Sund to:  APPROVE THE RELEASE OF ND NCLEX DATA FOR THE NCSBN EXAMINATIONS DEPARTMENT STUDY.  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
6.6 Request for Approval of Medication Assistant III application – Tracy Picard @ 9:15 a.m.	Discussion: Tracy Picard completed a medication assistant program in CA in 1992 and 1993 but is unable to obtain a transcript. CA does not have a custodian of records, and after much searching, cannot obtain transcripts. The school filed for bankruptcy, and closed in 1996. She submitted documentation that the program was accredited at the time she attended. She submitted letters from former employers from states she practiced in as a medical assistant that did not require transcripts. She has taken her certification examination for medical assistant based on the information she is submitting to the board, and they did approve her to take the examination. The board indicated that her search for the records was well documented and she's done everything she could do to locate the records.  Motion: Taynor, seconded by Christianson to:  APPROVE THE REQUEST FOR APPROVAL OF MEDICATION III REGISTRATION APPLICATION FOR TRACY PICARD ACCORDING TO NDAC 54-07-05-05(4).  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
7.11 Approval of registrations: Technician	Discussion: An application for surgical technician was received from Tessa Fasching. She had been enrolled at BSC surgical technician program and withdrew in March 2006 due to an allergy to the soap that was being used. She was unable to continue or complete the program. She is currently working in Valley City.  Motion: Sund, seconded by Rustvang to:  APPROVE THE UNLICENSED ASSISTIVE REGISTRY APPLICATION FOR SURGICAL TECHNICIAN FROM TESSA FASCHING.  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.



AGENDA ITEM	ACTION
7.12 Recommendations from Nurse Practice Committee (continued)	Discussion: The committee also reviewed the Licensure of Nurse - Disaster or Emergency Plan in response to the latest disaster. The committee recommended minor revisions. It was recommended that all practice statements be reviewed after a certain amount of time to ensure that they are up to date.
	Motion from Nursing Practice Committee to:  RECOMMEND THE BOARD APPROVE THE PROPOSED REVISIONS TO THE POLICY "LICENSURE OF NURSE – DISASTER OR EMERGENCY PLAN".
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
7.21 ND Nursing Student Survey	Dr. Patricia Moulton will present an annual report for the nursing needs study in July. They are currently doing the ND Nursing Student Survey.
7.31 Prescriptive Authority Applications	Discussion: Three individuals have submitted applications for prescriptive authority since the last meeting. It was noted that Dr. Hans Bjellum took over Dr. Rodney Lee's practice and there are a number of collaborative agreements with him.
	Motion: Rustvang, seconded by Case to:  RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING:  Shawna Dobrzelecki, FNP CP: Larry da Silva, MD Laura Sundsdahl, FNP CP: Joel Blanchard, MD Amy Allard, RN CP: Hans Bjellum, MD  Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
7.32 Prescriptive Authority Committee	The board discussed that the last prescriptive authority committee meeting in January was not attended by the physician or pharmacy representative. For the next year, staff will request an alternate selection from each organization in case the representative cannot attend the annual meeting.
7.34 Request for AP Licensure – Tina Lonneman	Discussion: Tina Lonneman is an applicant for APRN and will be moving to ND. She completed her masters in Women's Health Care Nurse Practitioner at the University of AZ. At the time, the state of AZ did not require certification for advanced practice licensure, so she never obtained to certification. She has attempted to take the certification examination to satisfy ND requirements for certification, but the National Certification Corporation will not allow her to test due to the length of time since her graduation. The board considered her application under NDCC 43-12.1-09(d) and NDAC 54-05-03.1-04(2).  Motion: Case, seconded by Tello-Pool to:  APPROVE TINA LONNEMAN'S INITIAL APRN APPLICATION FOR WOMEN'S HEALTH CARE NURSE PRACTITIONER ACCORDING TO NDCC 43-12.1-09(D) AND NDAC 54-05-03.1-04 PARAGRAPH 2 PENDING RECEIPT OF HER COMPLETED APPLICATION.
	Roll call vote: Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.
7.41 NLCA	Missouri has joined the Nurse Licensure Compact. NCSBN is reviewing and responding to ANA talking points in opposition to the compact. Kalanek indicated that there is one area in the compact rules that will need updating with the next rule revision.
7.51 Legislative Bills Affecting State Agencies – Rolfson	Benson and Kalanek reviewed the status of the bills related to nursing or to the Board of Nursing. The board discussed the implementation date of HB1269 which will be August 1, 2009.
7.53 Communication Policy & Report Form	Traynor discussed the Nursing Education Consortium bill with her local legislative representatives.
7.6 Website & Renewal	The new redesigned website will go live when the temporary permit verification section is completed.
7.7 Staff Report	None

### **CONSENT AGENDA:**

8.1 NCSBN
8.11 Health Care Reform Task Force
8.12 2008 RN Practice Analysis Linking the NCLEX-RN Examination to Practice

Weeting will act = may 14, 2003
8.13 2008 Knowledge of Newly Licensed Registered Nurses Survey
8.14 Letter to President Obama
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Surgical Technician Requirements
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.521 2009 NNAAP Item Writing and Review Workshop Participants
8.6 Licensure
8.61 Licensed Nurse
8.62 UAP Statistics
8.63 NCLEX-RN
8.64 NCLEX-PN
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 Lake Area Technical Institute notification of one certificate PN student clinical experience in ND

### **BOARD COMMITTEES:**

BOARD COMMITTEES.	
9.0 Program Monitoring Committee	Anderson reported that the Program Monitoring Committee met May 13, 2009. She reviewed the agenda and indicated the committee made recommendations that will be brought forward during strategic planning. The committee recommends continued audits unless there are major changes in staff or policy.
9.1 Nursing Education Committee	The Nursing Education Committee met May 13, 2009. The committee was asked for ideas for the board's strategic plan. Simulator use, NFI, and CE on-line courses were some of the suggestions. The committee reviewed the refresher course guidelines that will be reviewed at the next meeting.
9.2 Finance Committee	May 6, 2009
9.3 Executive Committee	
9.4 Prescriptive Authority Committee	
9.5 Nursing Practice Committee	April 27 & May 4
9.6 Prescription Drug Monitoring Program Committee	July 23, 2009

#### LIPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED.

10.1 National Council of State Boards of Nursing Annual Meeting, August 12-14  10.2 NCSBN Monthly Meetings by teleconference calls and onsite:  10.2-1 Policy Call – March 18, 2009; May 28  10.2-2 Education Consultant Network – April 9, May 13, June 9, July 9  10.2-3 Discipline Networking Call – April 14; June 9; August 4  10.2-4 EO Network – March 2  10.2-5 NLCA Meeting – May 11, August 11
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10.2-6 Mid-Year Meeting – March 2010
10.2-7 NCSBN Executive Officers Leadership Seminar; June 23-24
10.2-8 Annual Institute of Regulatory Excellence – January 2010
10.2-9 IRE Committee – April 21-22
10.2-10 Board Investigator & Attorney Workshop; May 19-21
10.2-11 NCLEX Invitational – September 2009
10.2-12 Practice Consultant – March 20, May 19, June 19, July 22
10.2-13 NCLEX Examination Committee – March 10, April 15-17, April 28, July 21
10.2-14 Workshop on Regulation of Unlicensed Assisted Personal (UAP)
10.2-15 TERCAP User Conference Call – March 10, May 12, July 7

10.2-16 Uniform Core Licensure Requirements - March 30 – April 1, July 20-22, September 1-3
10.3 ND Nurse Leadership Council
10.4 ND Organization of Nurse Executives – March 19
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference –Mandan, April 1-3, 2009 Cancelled
10.7 ND LTCA Conference – May 6-7, Bismarck
10.8 ND Health Care Association Annual Meeting
10.9 Nursing Education Consortium – March 25; May 18
10.10 PHEVR/MRC Advisory Committee – July 21
10.11 American Academy of Nurse Practitioners – May 30 - Kalanek
10.12 Caregiver Services Advisory Committee - May 5
10.13 CAC Regulatory Management of Chemically Dependent HC Practitioners – June 17 – Kalanek & Bitz

#### Staff Presentations:

11.1 Midwest Nurse Educator's Academy - May 18-20, Nurse Faculty Intern Pilot Study

The meeting recessed for lunch at 12:00 p.m. on May 15, 2009 and reconvened at 1:00 p.m. The meeting adjourned at 4:15 p.m. on May 15, 2009.

Constance B. Kalanek, RN, PhD Executive Director

Draft 5/20/2009